

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHRISTOPHER TUCKER,

Plaintiff,

v.

NORTHWEST AIRLINES, INC.,

Defendant.

Case No. 06-15775

Honorable Nancy G. Edmunds

**ORDER DENYING PLAINTIFF'S MOTION TO REMAND CASE TO WAYNE COUNTY
CIRCUIT COURT [6]**

This matter comes before the Court on Plaintiff's motion to remand. The Court finds that the facts and legal arguments are adequately presented in the motion and briefs and that the decision process will not be significantly aided by oral argument. Thus, pursuant to E.D. Mich. L. R. 7.1(e)(2), it is hereby ORDERED that the Plaintiff's motion shall be resolved as submitted.

Plaintiff's motion to remand is DENIED. Defendant removed this matter from Wayne County Circuit Court, asserting that diversity jurisdiction existed at the time of removal; i.e., that the parties were citizens of different states and the amount in controversy exceeds \$75,000. In his complaint, Plaintiff alleged that he was a Texas resident. (Compl. ¶ 1.) In his motion, Plaintiff now asserts that he is a citizen of Michigan. Diversity jurisdiction exists whether Plaintiff is a citizen of Texas or Michigan because Defendant is a Minnesota corporation with its principal place of business in Minnesota. See 28 U.S.C. § 1332(c)(1).

Thus, because Defendant is a citizen of Minnesota and Plaintiff is not, complete diversity exists. See 28 U.S.C. § 1332(a)(1).

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: February 15, 2007

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 15, 2007, by electronic and/or ordinary mail.

s/Carol A. Hemeyer
Case Manager